MARCH 11, 1957.

Decisions Per Curiam.

No. 122. MITCHELL, SECRETARY OF LABOR, *v.* BEKINS VAN & STORAGE CO. Certiorari, 352 U. S. 819, to the United States Court of Appeals for the Ninth Circuit. Argued February 26–27, 1957. Decided March 11, 1957. *Per Curiam:* The judgment is reversed. Respondent's five physically separate warehouses do not constitute a single "retail establishment" within the meaning of the exemption provided by § 13 (a)(2) of the Fair Labor Standards Act, 52 Stat. 1067, as amended, 63 Stat. 917, 29 U. S. C. § 213 (a)(2). *Phillips, Inc.*, v. *Walling*, 324 U. S. 490; see 95 Cong. Rec. 12579. MR. JUSTICE BURTON and MR. JUSTICE HARLAN, believing that the decision of the Court of Appeals was based upon proper standards and sufficient evidence, would affirm the judgment. *Bessie Margolin* argued the cause for petitioner. With her on the brief were *Solicitor General Rankin, Stuart Rothman* and *Eugene R. Jackson*. *William French Smith* argued the cause for respondent. With him on the brief was *Homer D. Crotty*. Reported below: 231 F. 2d 25.